

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Rebecca Besdin	Team: Team # 5	CCRB Case #: 200804100	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 03/14/2008 8:30 PM	Location of Incident: in front of 191 East 17th Street	Precinct: 70	18 Mo. SOL 9/14/2009	EO SOL 9/14/2009	
Date/Time CV Reported Fri, 03/21/2008 11:59 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 03/21/2008 11:59 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Leonard Clarke	27183	940013	070 PCT
2. An officer			070 PCT
3. Officers			070 PCT

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Abuse: An officer stopped § 87(2)(b) and § 87(2)(b)	
B.POM Leonard Clarke	Abuse: Officer Leonard Clarke stopped § 87(2)(b) and § 87(2)(b)	
C.POM Leonard Clarke	Abuse: Officer Leonard Clarke searched § 87(2)(b) and § 87(2)(b)	
D. Officers	Abuse: Officers searched the car in which § 87(2)(b) was an occupant.	
E.POM Leonard Clarke	Abuse: Officer Leonard Clarke searched the car in which § 87(2)(b) was an occupant.	
F.POM Leonard Clarke	Abuse: Officer Leonard Clarke searched § 87(2)(b)	

Synopsis

On March 14, 2008, at approximately 8:30 p.m., § 87(2)(b) stood in front of a friend's apartment building, located at § 87(2)(b) in Brooklyn, and waited for the friend to arrive. As he waited, he noticed another friend, § 87(2)(b) sitting inside his parked vehicle. As § 87(2)(b) approached § 87(2)(b) Officer Leonard Clarke and an unidentified white male uniformed officer approached the two men. Both officers asked § 87(2)(b) and § 87(2)(b) if they had anything on them that they could be arrested for (**allegations A and B**). The unidentified officer asked § 87(2)(b) to exit his vehicle, and PO Clarke searched inside the pockets of § 87(2)(b) and § 87(2)(b) (**allegation C**). The officers requested identification from § 87(2)(b) and § 87(2)(b). Three additional unidentified uniformed officers subsequently arrived, all of the officers, including PO Clarke, searched underneath the front seats and cupholders of § 87(2)(b)'s vehicle (**allegations D and E**). An unidentified black male officer who had searched § 87(2)(b)'s vehicle told § 87(2)(b) that they had found marijuana in his vehicle but that they were releasing him. The officers then left the location without making any arrests or issuing any summonses. § 87(2)(b) alleged that § 87(2)(b) was present during the incident, and was searched by PO Clarke (**allegation F**). § 87(2)(b) however, was certain that § 87(2)(b) was not present during the incident.

§ 87(2)(b) identified Officer Clarke by reading his name off of his uniform. When § 87(2)(b) was contacted by the CCRB, he stated that he knew PO Clarke from previous encounters and provided the investigator with PO Clarke's name and shield number, which he had read off of PO Clarke's uniform during previous encounters. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(b) mother, § 87(2)(b) filed this complaint on March 21, 2008, via the telephone. On March 26, 2008, the investigator called § 87(2)(b) who confirmed that she did not witness the incident, and left a message for § 87(2)(b). On the same date, § 87(2)(b) called the CCRB, and an interview was scheduled for March 31, 2008. On March 31, 2008, § 87(2)(b) called the investigator and canceled the appointment, and the interview was rescheduled for April 3, 2008. On April 3, 2008, § 87(2)(b) called the investigator to cancel the scheduled interview, and explained that her son did not want to proceed with the investigation, despite her attempts to convince him to provide a sworn statement. On April 7, 2008, the investigator left a voicemail for § 87(2)(b) asking that he call. On April 9, 2008, the investigator sent a letter to § 87(2)(b) home. On April 9, 2008, the investigator called § 87(2)(b) and spoke with § 87(2)(b) who said that § 87(2)(b) did not want to proceed with the investigation. On April 15, 2008, the investigator left a voicemail for § 87(2)(b) asking that he call, and sent a second letter to his home. On April 24, 2008, the investigator called § 87(2)(b) who stated that he would call the investigator on April 25, 2008, to schedule a time for an interview. § 87(2)(b) did not call the investigator on April 25, 2008, and has made no attempts to contact the CCRB as of the date of the signing of this report.

When § 87(2)(b) filed the initial complaint, she was only able to provide a first name and address for § 87(2)(b). A Lexis-Nexis search yielded a last name and telephone number for § 87(2)(b). The investigator sent a letter for § 87(2)(b)'s home on April 9, 2008. The investigator called § 87(2)(b) on April 9, 2008, but was unable to leave a voicemail because the answering machine was not accepting messages. On April 10, 2008, the investigator left a voicemail for § 87(2)(b) asking that he call. On April 15, 2008, the investigator sent a second letter to § 87(2)(b)'s home, and left a voicemail for § 87(2)(b) asking that he call. On April 17, 2008, the investigator called § 87(2)(b) obtained a telephone statement, and scheduled an interview for April 22, 2008. § 87(2)(g)

§ 87(2)(g)

On April 22, 2008, § 87(2)(b) missed his scheduled interview without notifying the investigator. On April 22, 2008, a letter was sent to § 87(2)(b)'s home. On April 24, 2008, the investigator called § 87(2)(b)'s mobile telephone number, which was not working, and left a voicemail at his home number asking that he call.

As of the date of the signing of this report, neither § 87(2)(b) nor § 87(2)(b) had made any attempts to contact the investigator. None of the letters sent to § 87(2)(b) or § 87(2)(b)'s homes have been returned by the U.S. Postal Service. Searches of the NYC Correction website's inmate directory confirmed that neither § 87(2)(b) nor § 87(2)(b) is currently incarcerated. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

In § 87(2)(b)'s telephone statement, provided on April 17, 2008, § 87(2)(b) stated that § 87(2)(b) was present during the incident, and was searched by PO Clarke. § 87(2)(b) provided § 87(2)(b)'s name and address, but was unable to provide a telephone number. A search of www.whitepages.com conducted on April 24, 2008, yielded no matches. A Lexis-Nexis search for § 87(2)(b) at the address supplied by § 87(2)(b) conducted on April 24, 2008, yielded a telephone number. On May 1, 2008, a letter was sent to § 87(2)(b)'s home. On the same date, the investigator called § 87(2)(b) but there was no answer and no answering machine. Additional calls were placed to § 87(2)(b) on May 5, 2008, May 7, 2008, May 13, 2008, and May 14, 2008, but each time there was no answer and no answering machine. A second letter was mailed to § 87(2)(b)'s home on May 12, 2008. A search of the NYC Correction website's inmate directory confirmed that § 87(2)(b) is not incarcerated. None of the letters sent to § 87(2)(b) have been returned by the U.S. Postal Service, and as of the date of the signing of this report, § 87(2)(b) has made no attempts to contact the CCRB. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: